

EXHIBIT G

1
2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 BRIAN JOSEPH GREF

Plaintiff,

5
6 ZOOM VIDEOCONFERENCE
VIDEOTAPED DEPOSITION
7 UNDER ORAL
EXAMINATION OF
8 JACQUELINE MOLINE, M.D.

9
10 against

11 AMERICAN INTERNATIONAL INDUSTRIES, individually and
12 as successor-in-interest for the CLUBMAN BRAND, and
13 to THE NESLEMUR COMPANY and PINAUD COMPANY, et al.,
Defendants.

Civil Action No: 1:20-cv-05589-GBD-DCF
14 -----X

15 Volume II

16
17 Transcript of the Zoom Videoconference
Videotaped Deposition of the witness, called for Oral
18 Examination in the above-captioned matter, said
deposition taken by and before BRENDA FITZGERALD, a
19 Notary Public and Shorthand Reporter, on Friday,
September 23, 2022, commencing at 10:05 in the
forenoon.

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21
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STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED by and among the attorneys for the respective parties herein that the sealing, filing and certification of the within deposition be waived; that such deposition may be signed and sworn to before any officer authorized to administer an oath with the same force and effect as if signed and sworn to before a judge.

IT IS FURTHER STIPULATED AND AGREED that all objections, except as to form, are reserved to the time of trial.

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I N D E X

WITNESS	EXAMINATION BY	PAGE
Jacqueline Moline, M.D.	Mr. Thackston	211, 304
	Mr. Kramer	293
	Mr. Kozak	297

EXHIBITS

MOLINE	DESCRIPTION	FOR IDENT
18	2019 article by Michele Carbone	213
19	Morbidity and Mortality Weekly Report	244
20	2022 CDC Morbidity and Mortality Weekly Report	267
22	Photograph of MAS Project M71373, Pinaud Clubman container	277
23	2018 article by Jiang	311

(There is no Exhibit 21. Exhibits retained by
counsel.)

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Also Present:

Bob Jorissen, videographer

- oOo -

1 Jacqueline Moline, M.D.

2 idea of prior abdominal surgeries promoting
3 mesothelial growth or promoting malignant
4 mesothelioma.

5 I don't know what they're referencing in
6 number two. They're referencing the same articles
7 they talked about before, but I don't know what
8 reference number two is, and a review article is just
9 basically summarizing other people's work.

10 Q. Have you published anything on the
11 percentage of peritoneal mesotheliomas that you
12 believe to be related to asbestos exposure?

13 A. I have not specifically published any
14 papers on peritoneal mesothelioma.

15 Q. What literature do you rely upon for
16 your opinion that Mr. Gref's peritoneal mesothelioma
17 is related to or was caused by asbestos exposure?

18 A. I think we can look at literature dating
19 back to some of the Selikoff where there's peritoneal
20 mesotheliomas related to asbestos exposure and
21 insulators. There's Creighton, there's Welch,
22 there's Rodelsperger. I think some of the Chinese
23 studies like Jiang where they talk about peritoneal
24 mesotheliomas in workers. I think I've talked about
25 this several times in the past.

1 Jacqueline Moline, M.D.

2 Q. Do you in your report in this case, I
3 believe we already marked it, in your report in this
4 case, do you identify the authorities that you rely
5 upon for your opinion that Mr. Gref's peritoneal
6 mesothelioma was caused by asbestos exposure?

7 A. I don't understand what you're asking
8 me.

9 Q. You were giving us some references and
10 it just occurred to me that I should cross-reference
11 the report, your report in this case marked as
12 Exhibit 3 to see where in your report we would look
13 to find what reference you rely upon for your opinion
14 that Mr. Gref's peritoneal mesothelioma was caused by
15 asbestos exposure.

16 MR. KRAMER: Objection to form.

17 A. I don't believe in the report I
18 specifically have a section about peritoneal
19 mesothelioma. I think it's -- there's no specific
20 section that I've written specifically about
21 peritoneal mesothelioma.

22 Q. You said generally the literature that
23 you would rely upon for an opinion that Mr. Gref's
24 mesothelioma, peritoneal mesothelioma was caused by
25 asbestos, you mentioned Dr. Selikoff.

1 Jacqueline Moline, M.D.

2 Q. Who is Freeman?

3 A. Freeman is a physician who wrote an
4 article about causation methodology.

5 Q. Do you know what's the full name?

6 A. I believe it's Michael Freeman.

7 Q. This says that Dr. Welch identifies four
8 questions that should be examined: "One, was the
9 individual exposed to a toxic agent? Two, does the
10 agent cause the disease present in the individual?
11 Three, was the individual exposed to this substance
12 at a level where the disease has occurred in other
13 settings? Four, have other competing explanations
14 for the disease been excluded?", right?

15 A. Correct.

16 Q. For your analysis under this rubric, did
17 you separate peritoneal mesothelioma or did you
18 consider peritoneal and pleural mesothelioma
19 together?

20 A. The rubric is used on each individual
21 case, so it's not a rubric, there's no separate
22 rubric for pericardial, tunica vaginalis, pleural or
23 peritoneal, which are the four areas in which
24 mesothelioma can arise. It's a general methodology
25 that does not discriminate between source or location

1 Jacqueline Moline, M.D.

2 of tumor.

3 Q. For number two, quote, does the agent
4 cause the disease present in the individual, end of
5 quote, you did not apply that to the disease
6 peritoneal mesothelioma, correct?

7 MR. KRAMER: Objection,
8 mischaracterizes.

9 A. In my opinion I can apply that disease.
10 Peritoneal mesothelioma has been associated with
11 asbestos exposure, so that's the opinion that I have
12 stated multiple, multiple times, and I continue to
13 have that opinion so, yes, I can say that.

14 MR. THACKSTON: Object to the
15 responsiveness.

16 A. I don't know what's unresponsive of me
17 giving an answer to your question.

18 MR. KRAMER: It's okay, Dr. Moline.
19 Let's wait for the next question.

20 THE WITNESS: Okay.

21 Q. Let me read a statement from page 421.
22 For question number two, there is ample literature
23 that asbestos causes mesothelioma and no dispute in
24 the medical literature, end of quote.

25 That statement, first of all, did I read

1 Jacqueline Moline, M.D.

2 the nomenclature, use the correct nomenclature.

3 Peritoneal is location. Subtype is inferring the
4 pathological subtype.

5 Q. Let me do -- use layperson's term
6 because I'm a layperson presumably and so will the
7 jury be.

8 You would agree with me that -- you
9 agreed with me earlier that the peritoneal area, the
10 stomach area is different than the lung area, right?

11 MR. KRAMER: Objection to form.

12 A. I would not define it as stomach.
13 Stomach is in the upper part of the abdomen. I would
14 describe it as the abdominal cavity. Stomach is even
15 more vernacular and maybe someone might refer to it
16 as the stomach, but even a layperson understands
17 usually the term abdomen.

18 Q. Abdominal cavity is further away from
19 the nose than the pleural cavity or the chest cavity,
20 right?

21 MR. KRAMER: Objection, relevance.

22 A. Yes.

23 Q. You have not evaluated specifically
24 whether there's literature that supports the idea
25 that cosmetic talc even if adulterated with trace

1 Jacqueline Moline, M.D.

2 levels of asbestos has been linked to peritoneal
3 mesothelioma, have you?

4 MR. KRAMER: Objection to form.

5 A. There is not a lot of literature related
6 to that in general. There are certainly cases where
7 it has been described in individuals with exposure to
8 cosmetic talc that have developed peritoneal
9 mesotheliomas in the literature.

10 Q. So, you're saying that the only
11 literature you're aware of relating to cosmetic talc
12 and peritoneal mesothelioma are case reports of
13 someone who had mesothelioma, peritoneal mesothelioma
14 and also used cosmetic talc, right?

15 MR. KRAMER: Objection, misstates.

16 A. I'm sorry, I didn't hear the second
17 half. You're fading out.

18 Q. The only literature that you're aware of
19 relating to peritoneal mesothelioma and cosmetic talc
20 are case reports of people who have been diagnosed
21 with peritoneal mesothelioma who also used cosmetic
22 talc, right?

23 A. I think that I'm referring to case
24 series as well as case reports. I'm also referring
25 to -- I believe in other cases where they've looked

1 Jacqueline Moline, M.D.
2 at tissue and found in cases where mesothelioma has
3 been present, they've looked at lung fiber burden and
4 found characteristic findings of -- well, they found
5 asbestos fibers that are characteristically found in
6 talcum powder, so they found the same type of fibers
7 that are not seen typically in commercial talcum
8 powder -- in commercial asbestos, but are seen in
9 talcum powder.

10 Q. In looking at your paragraph related to
11 question number two, the cite that I see, the last
12 sentence says -- it's also related to number three --
13 quote, as described above and recently referenced by
14 the Center for Disease Control -- there was no cite
15 for that, right, referenced by the Center for Disease
16 Control, you don't have a footnote and you don't have
17 an article, right?

18 MR. KRAMER: Objection to form.

19 A. It's on my reference list, but I don't
20 have a specific citation. It was from the MMWR
21 report.

22 Q. Your reference list, how many items are
23 on your reference list?

24 A. Currently there's about 505 or
25 something, but there aren't that many that are from

1 Jacqueline Moline, M.D.

2 the CDC.

3 Q. Somebody would have to go read it and
4 try to find the Center for Disease Control in one of
5 the 500 items?

6 MR. KRAMER: Objection to form.

7 A. The list is not alphabetical, so, yes,
8 they would have to go and find that because I do not
9 give a specific reference.

10 Q. Do you know whether that -- what's the
11 name of that article?

12 A. It's Mazurek, I believe, from 2017.

13 Q. What page is that on your reliance list?

14 A. I don't have an up-to-date reliance list
15 that I'm looking at, so I don't know what page it's
16 on, but if you look under "M", the letter "M" as in
17 Mary, you can find it, the last name is
18 M-a-z-u-r-e-k.

19 Q. What's the title of the article?

20 A. The author should be easier to find than
21 the title. Malignant mesothelioma mortality - United
22 States, 1999 to 2015, Centers for Disease Control and
23 Prevention: Morbidity and Mortality Weekly Report,
24 66, volume 8, pages 214 to 218, March 3rd, 2017.

25 Q. Is there a statement in that article

1 Jacqueline Moline, M.D.

2 about the percentage of peritoneal mesotheliomas that
3 have been linked to asbestos exposure?

4 A. I don't recall. That wasn't the purpose
5 of that reference, but I don't recall.

6 Q. Criteria number three mentions what you
7 call analogous exposure scenarios.

8 Does that article referenced by the CDC
9 relate to exposure scenarios involving alleged trace
10 contamination of cosmetic talc?

11 A. The article from the CDC is talking
12 about mesothelioma in individuals and they reference
13 that cosmetic talc may be a cause is my recollection.
14 I don't recall, I don't believe the reference
15 specifically separated it out, the location of the
16 mesothelioma.

17 We've been going an hour, I would like a
18 stretch break, please.

19 Q. Sure.

20 VIDEOGRAPHER: We'll be going off the
21 record at 11:01 a.m.

22 (A recess was taken.)

23 VIDEOGRAPHER: We're back on the record
24 at 11:11 a.m. Quick correction to the read in, this
25 is actually volume two of Dr. Moline.

1 Jacqueline Moline, M.D.

2 kinds of product.

3 Are you familiar with that document?

4 A. Are you referring to the exposure
5 testimony summary that was provided to me by
6 Mr. Kramer's firm that we talked about at the onset
7 of today's deposition that I was asked about at ad
8 nauseam in volume one in this deposition; is that
9 what you're referring to?

10 Q. No, I'm referring to a document where
11 there was some estimates about the number of products
12 that was used and for how long.

13 Do you remember that document?

14 A. I don't know what you're referencing.
15 If you show it to me, I can tell you. I don't know
16 what you're talking about.

17 Q. If you attempted to -- have you
18 attempted to estimate the number of -- well, have you
19 done an exposure analysis for each of the defendant
20 products in this case?

21 A. I have done a dose estimate, dose
22 calculation based on the number of applications, yes.
23 I had referenced that it was possibly mathematically
24 to do, so I went ahead and did it.

25 Q. That's not something that's in your

1 Jacqueline Moline, M.D.

2 report?

3 A. No, it is not.

4 Q. When did you do these calculations?

5 A. I did these calculations when I saw that
6 this deposition was on my calendar.

7 Q. When was that? Was it in the last week?

8 A. Within the last week or so, yes.

9 Q. When did you provide them to plaintiff's
10 counsel?

11 A. I didn't. I did it in case I was asked
12 questions about it. I have not provided it to him.

13 Q. So the plaintiff's counsel don't know
14 what your opinions are about the dose estimates, your
15 math on the dose estimates?

16 A. No, I was asked questions about it and
17 whether I done it, so I went ahead and did it.

18 Q. Is there a document? Did you create a
19 document?

20 A. I have just some scribbled notes. It
21 was not a formal thing. I did it just in case I was
22 asked questions. It's not a typed document. It's
23 just some scribbled notes that won't make a lot of
24 sense to anyone but me.

25 Q. Are you familiar with a document that

1 Jacqueline Moline, M.D.

2 purports to show the low, medium and high estimates
3 for the number of containers Mr. Gref may have used
4 of various products?

5 MR. KRAMER: Form.

6 A. I don't know what document you're
7 talking about, especially when you're talking about
8 purports to show, that's confusing me.

9 Q. Did you create a document where you
10 estimated the number of containers that Mr. Gref may
11 have used for any particular product?

12 A. I did not create a document related to
13 the number of containers.

14 Q. Did someone else create a document that
15 they shared with you relating to the number of
16 containers that Mr. Gref may have used?

17 A. There was a document, it was part of the
18 exposure testimony summary or the number of bottles,
19 yes.

20 Q. In your report, do you reference a test
21 that Dr. Longo did on a Clubman container that
22 Mr. Gref claims to have owned?

23 A. If I recall correctly, I'm not a time
24 traveler, I wrote this report in 2021 and if
25 Dr. Longo tested the container in 2022, I am not

1 Jacqueline Moline, M.D.
2 clairvoyant and did not know what Dr. Longo's report
3 several months later would find. It is not
4 referenced in my report because it was done after my
5 report was completed.

6 Q. When is the first time you saw
7 Dr. Longo's report on the test that he did on the
8 Gref container?

9 A. I don't know exactly. At some point I
10 have it with me, it was provided to me with
11 additional documents. It was provided to me, it
12 looks like it was provided to me on August 9th. I
13 might have seen it before that, but it was provided
14 to me by Mr. Kramer's firm. I have a cover letter
15 stating, enclosed I find -- here's one folder
16 containing this, which included the Clubman talc,
17 testing by Dr. Longo for the compiled notebook.

18 Q. Did you read and consider the Longo
19 report on the Gref container that you received in
20 August?

21 A. I did and now I'm looking for that
22 report.

23 Q. We can display the Longo report. So,
24 it's fair to say you didn't express any opinions in
25 your report about Dr. Longo's testing because it was

1 Jacqueline Moline, M.D.

2 done after your report, right?

3 A. Correct.

4 Q. And you've not done any type of
5 supplemental report to reflect any impact on your
6 opinions that the Longo tests may have had, right?

7 A. You're speaking like a New Yorker,
8 Mr. Thackston, that was really fast. Can you repeat
9 that?

10 Q. Did you do any supplemental report
11 reflecting any impact that Dr. Longo's document may
12 have had on your opinions?

13 A. I don't believe I did a supplemental
14 report in this case.

15 Q. Do you know the vintage of the container
16 that Dr. Longo tested?

17 MR. KRAMER: Objection to form.

18 MR. THACKSTON: We'll make that
19 Exhibit 22. Correct me if I've got the numbers
20 wrong.

21 (Whereupon, photograph of MAS Project
22 M71373, Pinaud Clubman container was received and
23 marked Moline Exhibit 22, for identification, as of
24 this date.)

25 Q. The photograph on the Longo test report

1 Jacqueline Moline, M.D.

2 Q. I've asked you previously if you knew in
3 the context of microscopes what PLM is and you
4 weren't familiar with that term, were you?

5 A. PLM, I'm not a microscopist, I'm
6 familiar with the term, but I'm not familiar with the
7 methodology behind it.

8 Q. You do know what it stands for?

9 A. I didn't realize this was a quiz on
10 acronyms. The M is for microscope and I believe it's
11 light and it may be phase light microscope, but I'm
12 not exactly sure. I'm not a microscopist.

13 If you want to go down the acronym
14 route, I can give you all sorts of medical acronyms
15 you'll never figure out. Every profession has its
16 acronyms.

17 MR. THACKSTON: Object to
18 responsiveness.

19 Q. Is your testimony though that you read
20 and relied upon Dr. Longo's report?

21 MR. KRAMER: Asked and answered.

22 A. I read Dr. Longo's report and I relied
23 on his findings, yes.

24 Q. What color is chrysotile under the PLM?

25 MR. KRAMER: Objection, lacks foundation

1 Jacqueline Moline, M.D.

2 mesothelioma.

3 I don't know if in the Welch article
4 that I was speaking about earlier with the
5 college-educated individuals with peritoneal
6 mesothelioma that there was a specification.

7 Certainly other articles talk about
8 chrysotile. It's been found in the Chinese cohorts
9 of chrysotile only that peritoneal mesothelioma is
10 there.

11 MR. THACKSTON: Object to
12 responsiveness.

13 Q. What article talks about chrysotile
14 asbestos causing peritoneal mesothelioma at the
15 levels that someone might be exposed to chrysotile if
16 it's a contaminate of cosmetic talc?

17 MR. KRAMER: Form, asked and answered.

18 A. You're parsing down into a specific
19 hypothesis or a specific phrase when I'm not sure
20 there exists one in the medical literature.

21 MR. KRAMER: Counsel, we have now
22 exceeded the seven-hour mark by my clock. It's now
23 12:37. Do you have a last question you want to ask
24 before I begin my follow-up?

25 MR. THACKSTON: I have a lot of

1 Jacqueline Moline, M.D.

2 questions I would like to ask.

3 MR. KRAMER: I'm sure you do, but is
4 there one last one you're going to be asking today?

5 MR. THACKSTON: No, I'm not going to ask
6 the last question today. I'm going to ask the Court
7 for more time. I think any questions you ask,
8 anything that I ask by way of follow-up is not part
9 of the seven hours, and I plan to ask the Court to
10 continue my examination for a lot of reasons.

11 MR. KRAMER: Dr. Moline --

12 MR. THACKSTON: We can wait until you
13 get a ruling on that and then do yours or you can do
14 yours now and then I'll cross-examine based on what
15 you do, and then we can find out whether I'm going to
16 get additional time for discovery, or as you see fit.

17 I don't think we're going to agree on
18 the record today about how we're going to resolve the
19 issue about whether we get more time.

20 MR. KRAMER: I agree with that. I think
21 the Court will determine, if you chose to seek leave,
22 whether or not you are successful in that. I'm going
23 to follow up based on the two days of testimony in
24 the record so for however.

25

1 Jacqueline Moline, M.D.

2 Q. The steps that you testified about a
3 couple of moments ago, were you able to utilize those
4 to calculate a conservative dose estimate based on
5 the evidence in this case?

6 MR. THACKSTON: Objection.

7 A. Yes.

8 Q. Can you please provide your results of
9 that dose estimate?

10 A. I calculated based on Mr. Gref's
11 exposure from 1982 to 2010, I stopped at 2010, that
12 his overall or his cumulative exposure was .22 fiber
13 per cc years.

14 Q. His cumulative exposure you said was
15 .225 fiber per cc years?

16 A. It was 0.22 fiber per cc years.

17 Q. Thank you. Did you perform any other
18 calculations aside from the cumulative conservative
19 dose estimate?

20 A. Well, what went into it were the
21 different products that either were used on him or he
22 used over the years.

23 Q. Are you able to further specify any
24 calculations you performed with regard to those
25 individual products?

1 Jacqueline Moline, M.D.

2 A. Yes.

3 Q. Can you please do so.

4 A. The Clubman was 0.034 fiber per cc
5 years, English Leather was 0.034 fiber per cc years,
6 Mennen was 0.04 fiber per cc years, Old Spice was
7 0.034 fiber per cc years, and Johnson & Johnson and
8 Shower to Shower, which I included together since
9 they use the same talcum powder or they use the same
10 sourcing, was 0.07 fiber per cc years.

11 Q. Do you have an opinion as to
12 individually whether each of those products
13 substantially contributed to Mr. Gref's mesothelioma?

14 A. Yes, they all contributed.

15 MR. THACKSTON: Form.

16 Q. The numbers that you mentioned, are
17 those supported by numbers evaluating increased risk
18 for disease in the literature that you cited?

19 A. Yes.

20 MS. LAWLER: Object to form.

21 Q. Thanks, Dr. Moline. I think that's all
22 I have.

23 A. Okay.

24 MR. KRAMER: Understanding what
25 Mr. Thackston already stated on the record, I think

1 Jacqueline Moline, M.D.

2 we're done.

3 VIDEOGRAPHER: Mr. Thackston, are you
4 going to cross?

5 MR. THACKSTON: Yes, my position will be
6 that I'm entitled to cross not subject to any time
7 limitation, which will basically going back through
8 all the studies that she claims to rely on, et
9 cetera.

10 MR. KRAMER: Okay. I look forward to
11 reading that to your motion to lead.

12 A. Mr. Kozak, you're muted.

13 MS. KOZAK: Does this work.

14 MR. KRAMER: Yes.

15 A. It always did, you just had to unmute.
16 Now you're muted again.

17 MR. KRAMER: We can't hear you.

18 MS. KOZAK: Two devices I have. I have
19 the telephone and I have the iPad.

20 Jim, I have just a couple of questions
21 based on the questions you just asked.

22 EXAMINATION BY

23 MR. KOZAK:

24 Q. Dr. Moline, can you hear me okay?

25 A. Yes, but how much time is this going to

1 Jacqueline Moline, M.D.

2 be, a couple of questions, a couple of legal
3 questions, a couple of lawyer questions? Are they
4 real questions or are you going to be here for half
5 an hour because I'm not going to do that?

6 Q. It's just based on the questions that
7 Mr. Kramer just asked.

8 Dr. Moline, Mr. Kramer just asked you a
9 beginning question that was, would you please
10 describe your methodology. Do you remember that?

11 A. Yes.

12 Q. You provided a list of items. Do you
13 recall that?

14 A. Yes.

15 MR. KRAMER: Form.

16 Q. Is there a name for that methodology?

17 A. It's my dose calculation methodology. I
18 haven't coined it or trademarked it or patented it
19 yet.

20 Q. Can we find that methodology with those
21 steps anywhere in the scientific literature?

22 A. I have not submitted a paper with such
23 methodology.

24 Q. Is there anything in the scientific
25 literature that's anywhere close to the steps that

1 Jacqueline Moline, M.D.

2 type of exposure.

3 Q. Was it with Colgate-Palmolive? Do you
4 know what the product was that was used in the
5 Gordon/Fitzgerald test?

6 A. Yes, it was a Colgate-Palmolive product.

7 Q. Do you know of any study that has
8 concluded that someone that experienced an exposure
9 level of 0.034 fibers per cc of chrysotile contracted
10 peritoneal mesothelioma?

11 MR. KRAMER: Objection to form.

12 A. If we look at both Rodelsperger and
13 Jiang where they have levels that range from zero to
14 .15 and Rodelsperger, which was a mixed exposure and
15 Jiang, which was chrysotile only, which was zero
16 to .5 fiber per cc years, they have an increased risk
17 and included both pleural and peritoneal.

18 Q. Your testimony is that if I were to look
19 at those two studies that I would find a level
20 commensurate with 0.034 fiber per cc years of
21 chrysotile only has been linked to peritoneal
22 mesothelioma?

23 A. My recollection of the Jiang paper,
24 which is chrysotile only, they had an increased risk
25 of mesothelioma, and my understanding is that it

1 Jacqueline Moline, M.D.

2 included both pleural and peritoneal. I don't have a
3 recollection of the breakdown between the risk for
4 pleural or peritoneal and don't know if they did that
5 in that particular paper.

6 Q. Is that paper referenced in your report?

7 A. I don't know if that specific paper is,
8 but it's on my reference list, which was attached to
9 the report.

10 Q. There were 500 -- didn't you say there
11 were over 500 articles on your reliance list?

12 A. Well, I'm giving you the name of the
13 author so you can look at it, it's Jiang, J-i-a-n-g.

14 Q. Do you know the title?

15 A. I believe it's Hand-spinning chrysotile
16 exposure and risk of malignant mesothelioma: A
17 case-control study in Southeastern China.

18 Q. That's a case involving people that
19 worked in a chrysotile manufacturing facility?

20 MR. KRAMER: Objection, article speaks
21 for itself.

22 A. It's from individuals with chrysotile
23 exposure who were working in a factory or a facility
24 that used chrysotile and textiles.

25 Q. You're talking about somebody using

1 Jacqueline Moline, M.D.

2 chrysotile as a raw material to manufacture products,
3 not somebody who's alleging that it was a trace
4 contaminate of cosmetic talc, right?

5 MR. KRAMER: Objection to form.

6 A. I'm speaking about -- I'm using the
7 article because it's chrysotile. The exposure
8 scenario doesn't matter, but one was using cosmetic
9 talc and one was exposed in the workplace.

10 Q. You certainly haven't made any
11 comparison between the kind of chrysotile they were
12 using in China to Clubman versus the kind of trace
13 contamination of Montana talc that Longo claims to
14 find, have you?

15 MR. KRAMER: Objection to form.

16 A. I don't know what you're asking me. Are
17 you asking me have I compared the fibers themselves
18 to see if they're both chrysotile?

19 Q. Have you compared what product was used
20 in the Jiang Chinese manufacturing facility versus
21 what Dr. Longo says he found in the Clubman
22 container?

23 MR. KRAMER: Assumes facts.

24 A. If you're asking if I compared
25 microscopic appearance of chrysotile, I have not.

1 Jacqueline Moline, M.D.

2 That's not my area of expertise. I'm just relaying
3 that it was both chrysotile.

4 Q. I'm asking you if you considered
5 whether, to use your term from your report, that
6 agent at issue in this case is the same as the agent
7 at issue in the report that you cited, and you made
8 no comparison between whatever kind of chrysotile
9 they were using in China with whatever kind of
10 chrysotile Dr. Longo says he found in Clubman, right?

11 MR. KRAMER: Assumes facts, asked and
12 answered.

13 A. I don't understand.

14 MR. KRAMER: Misstates,
15 mischaracterizes.

16 A. I'm sorry, Mr. Kramer. I don't
17 understand what difference you're trying to impune.
18 I'm saying that they're both chrysotile exposures and
19 that's the agent that's at issue. Whether there's
20 other findings in the ore of amphiboles as well in
21 the Montana ore or not that may also have been found,
22 but with respect to Dr. Longo's report, the agent is
23 chrysotile.

24 MR. THACKSTON: I'm going to attach as I
25 think it's number 23 the Jiang article. It's called

1 Jacqueline Moline, M.D.

2 2018 Hand-spinning chrysotile exposure and the risk
3 of MM: A case-control study.

4 (Whereupon, 2018 article by Jiang was
5 received and marked Exhibit 23, for identification,
6 as of this date.)

7 Q. It's your understanding that they make
8 the statement that there's debate about whether
9 chrysotile is even associated with the causation of
10 mesothelioma?

11 MR. KRAMER: Objection, the article
12 speaks for itself.

13 A. I don't have the article in front of me,
14 and I think that the literature is -- among
15 scientific bodies there's not a dispute with respect
16 to chrysotile, among some authors there might be, but
17 among all governmental agencies and the consensus in
18 the larger scientific community, there is no dispute
19 about whether chrysotile causes mesothelioma.

20 Are we done?

21 MR. KRAMER: The time is 1:04. We're
22 going to be done.

23 MR. THACKSTON: I certainly have more
24 questions, but if you're going to terminate the
25 deposition, I can't question myself.

1 Jacqueline Moline, M.D.

2 MS. LAWLER: This is Katherine Lawler
3 for Mennen. I will reserve my right to ask follow-up
4 questions to Mr. Kramer's direct at the appropriate
5 time.

6 MR. RUTKOWSKI: This is David Rutkowski
7 for Shulton. I reserve our rights as well. Thank
8 you.

9 MR. MCCAFFREY: Also, Kevin McCaffrey.
10 I'll join reserving rights, thanks.

11 MR. KOZAK: Chris Kozak. I join in
12 reserving rights. We also didn't have an opportunity
13 to follow up after Mr. Thackston, we only followed up
14 after Mr. Kramer, so there's that as well.

15 VIDEOGRAPHER: Anything further?

16 MR. KRAMER: No, that's it. This

17 concludes today's testimony given by Dr. Jacqueline
18 Moline. The total number of media units used was
19 three and will be retained by Veritext.

20 We are going off the record at 1:05 p.m.
21 Eastern Daylight Time.

22 (Time Noted: 1:05 p.m.)
23
24
25

